

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Kimberly A. Vose  
Richard A. Vose

Debtors

U.S. Bank National Association, As Trustee For Prime  
Mortgage Trust Series 2004-CL1, its successors and/or  
assigns

Movant

v.

Kimberly A. Vose  
Richard A. Vose

Debtors

and

Ronda J. Winnecour

Trustee

BK. NO. 05-20019 TPA

CHAPTER 13

MOTION NO.  
FILED UNDER LOCAL BANKRUPTCY  
RULE 9013.4 SECTION 6(a)

**MOTION FOR TURNOVER OF FUNDS**

Date: September 13, 2011

**/s/ Andrew F. Gornall, Esquire**

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CHAPTER 13

**MOTION OF U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR PRIME MORTGAGE  
TRUST SERIES 2004-CL1, ITS SUCCESSORS AND/OR ASSIGNS  
FOR TURNOVER OF FUNDS**

Movant, by its attorneys, KML Law Group, P.C., hereby requests an Order directing the Clerks office to issue the sum of **\$14,002.66** to Movant, and in support thereof, avers as follows:.

1. Movant is U.S. Bank National Association, As Trustee For Prime Mortgage Trust Series 2004-CL1, its successors and/or assigns.
2. Debtors, Kimberly A. Vose and Richard A. Vose, are the owners of the Property at 300 Beulah Road, Butler, PA 16001 ("the Property").
3. Movant is the holder of a mortgage dated October 23, 1998 in the original principal amount of \$117,000.00, which is secured by the Property.
4. The debtor's confirmed plan called for the payment of Movant's pre-petition and post-petition debt.
5. Despite treatment of Movant's claim pursuant to the plan and subsequent Trustee disbursements, Movant inadvertently returned plan monies to the Trustee.

6. Upon receipt of the returned monies, on or about June 21, 2010, the Chapter 13 Trustee paid the sum of **\$14,002.66** to the Clerk of the United States Bankruptcy Court. See attached Exhibit A.

7. Movant seeks to have the **\$14,002.66** turned over by the Clerk's office.

8. No parties will be prejudiced by the turnover of these funds to Movant.

WHEREFORE, Movant respectfully requests that this Court enter an Order directing the Clerk's office to issue the sum of **\$14,002.66** to Movant.

Date: September 13, 2011

**/s/ Andrew F. Gornall, Esquire**

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BNY Independence Center

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